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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
NGUYEN, MERILYN P

ART UNIT	PAPER NUMBER
2161	

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DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/671,547	SATHYANARAYAN, SESHADRI	
	Examiner	Art Unit	
	Merilyn P. Nguyen	2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03/30/2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *26-72* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *26-72* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *27 September 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☒ Other: *Detailed action*.

DETAILED ACTION

1. In response to the communication dated 03/30/2005, claims 26-72 are active in this application.

Acknowledges

2. Receipt is acknowledged of the following items from the Applicant:

The applicant's response have been considered and made of record.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 56-72 stand rejected under 35 U.S.C. 102(e) as being anticipated by Kravets (US 6,363,377), as set forth in the previous office action mailed 01/26/2005, and reiterated herein below for convenience.

Regarding claims 56 and 63, Kravets discloses a method and a machine-readable medium having stored thereon data representing instructions which, when executed by a machine, cause the machine to perform operations comprising:

- ❖ transmitting an initial search query from a computer to a remote site over a network (See Fig. 3, col. 4, lines 23-30);

- receiving a search result document at the computer from the site, the search result document comprising a plurality of search result entries obtained in response to the initial search query (28, Fig. 1A, and Figs. 3 and 4, and col. 4, lines 17-22, and col. 5, lines 42-64, Kravets et al.);
- accessing pages at the remote sites from the computer, the accessed pages being associated with at least some of the search result entries (See col. 5, line 65 to col. 7, line 3, Kravets et al.);
- filtering the search result entries at the computer (See col. 7, lines 66- 67) by comparing information from the accessed pages to the initial query (See col. 7, lines 38-67); and
- selecting a subset of the search result entries based on the comparison (See col. 8, lines 9-16).

Regarding claim 67, Kravets discloses an apparatus comprising:

- a query engine (See Fig. 3) to transmit initial search query from a computer to a remote site over a network (See col. 4, lines 23-30); and
- a results filter (See Fig. 2B) to receive a search result document from the remote site in response to the initial search query, the search result document comprising a plurality of search result entries, the results filter further to access pages associated with at least some of the search result entries, to filter the search result entries by comparing information from the accessed pages to the initial search

query, and to select a subset of the search result entries based on the comparison as addressed above in claim 56.

Regarding claim 70, Kravets discloses a computer system comprising:

- a processor (See Fig. 2B, and corresponding text);
- a network connection (See Fig. 1B);
- a query engine to transmit using the network connection initial search queries to search engines at remote Internet sites as addressed above in claim 67; and
- a results filter to receive search result documents over the network connection from the remote search engines in response to the initial search queries, the search result documents comprising a plurality of search result entries, the results filter further to access pages associated with at least some of the search result entries, to filter the search result entries by comparing information from the accessed pages to the initial search queries, and to select a subset of the search result entries based on the comparison as addressed above in claim 67.

Regarding claims 57, 64, 68, and 71, Kravets discloses at least some of the information from the accessed pages comprises hypertext links to further pages associated with the respective search result entry (See col. 8, lines 9-16), the method further comprising parsing hypertext links into constituent elements (See col. 5, lines 55-64), and comparing the hypertext link constituent elements to elements of the initial search query (See col. 6, lines 46-63 and col. 7, lines 38-43).

Regarding claims 58 and 65, Kravets discloses selecting a subset of the search result entries comprises selecting using the comparison of information from accessed pages and the comparison of hypertext link constituent elements (See col. 7, line 44 to col. 8, line 29).

Regarding claims 59, 66, 69, and 72, Kravets discloses at least some of the search result entries include a description of an associated document (See col. 8, lines 18-21), the method further comprising parsing at least a portion of the descriptions into constituent elements (See col. 5, lines 55-64)[1], and comparing the description constituent elements to elements of the initial search query (See col. 8, lines 21-25) and wherein selecting a subset comprises selecting a subset using the description constituent elements comparison (See col. 8, lines 27-29).

Regarding claim 60, Kravets discloses generating a summary document comprised of the selected subset of the search result entries, and displaying the summary document (See col. 8, lines 27-29).

Regarding claim 61, Kravets discloses the network comprises the Internet (See col. 4, line 32), and the site comprises a search engine at a remote World Wide Web site (See col. 4, line 32).

Regarding claim 62, Kravets discloses the network comprises the Internet (See col. 4, line 32), the method further comprising transmitting the initial search query to a plurality of search

engines at remote World Wide Web sites (See col. 4, lines 23-30) and receiving a plurality of search result documents from the search engines in response to the initial search query, each search result document comprising a plurality of search result entries (28, Fig. 1A, and col. 4, lines 17-22, Kravets et al.).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 26-28, 30-35, 37-38, 40-45, 47, 49, 51-52, and 54 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Haitsuka (US 6,505,201), in view of Davis (US 6,269,361), as set forth in the previous office action mailed 01/26/2005, and reiterated herein below for convenience.

Regarding claims 26 and 37, Haitsuka discloses a method and a machine-readable medium having stored thereon data representing instructions which, when executed by a machine, cause the machine to perform operations comprising:

- ❖ monitoring usage of a web browser of a computer by a computer user during a usage session (See Fig. 3, and col. 3, lines 14-15, and col. 6, lines 21-25);

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[1] Please note that hypertext link itself broadly describe the associated document, therefore parsing the hypertext links also the same as parsing descriptions.

- ❖ recording information at the computer (by client monitoring application) (See Fig. 3, and col. 3, lines 20-25 and col. 6, lines 21-23) including hypertext links selected by the user during the monitored session (See col. 8, lines 22-36);
- ❖ analyzing the recorded hypertext links at the computer to determine user interest for the session (See col. 9, lines 38-47, and col. 6, lines 56-63);

However, Haitsuka is silent as to generating a search engine query based on the determined interest. On the other hand, Davis teaches a search engine query based on the determined interest (See Col. 5, lines 18-34, and col. 8, line 60 to col. 9, line 7, and col. 9, lines 42-66, and col. 12, line 56 to col. 13, line 2, Davis et al.). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the method of generating a search engine query based on the determined interest of Davis into the system of Haitsuka so that the feedback information of Haitsuka (Col. 6, line 56 to col. 7, line17, Haitsuka et al.) could further being used for searching advertises as suggested by Davis. The motivation would have been to enable user to search for relevant and targeted advertises based on feedbacks. Haitsuka is silent as to automatically generating the query. However, the automatically generating the query step is well known in the art as in re Venner, 262 F.2d 91, 95, 120 USPQ 193, 194 (CCPA 1958) (Appellant argued that claims to a permanent mold casting apparatus for molding trunk pistons were allowable over the prior art because the claimed invention combined "old permanent-mold structures together with a timer and solenoid which automatically actuates the known pressure valve system to release the inner core after a predetermined time has elapsed." The court held that broadly providing an automatic or mechanical means to replace a manual activity which accomplished the same result is not sufficient to distinguish over the prior art.).

- transmitting the generated search engine query from the computer to at least on remote web site to query the at least one remote web site (See col. 8, lines 52-59, Davis et al.); and
- receiving query results at the computer from the at least one remote website based on the query (See col. 9, lines 43-67, Davis et al.).

Regarding claims 27 and 38, Haitsuka/Davis discloses analyzing comprises parsing hypertext links selected by the user into words (535, Fig. 5, and col. 9, lines 38-42) and determining the user intent based on the parsed words (46-47).

Regarding claim 28, Haitsuka/Davis discloses determining the user interest based on the content of the hypertext links using heuristics (See col. 6, line 28 to col. 7, line 18).

Regarding claims 30 and 40, Haitsuka/Davis discloses displaying a set of words to the computer user indicative of the determined user interest (See col. 7, lines 41-54) and a button for the user to click on to indicate a desire to receive information regarding the displayed set of words (See col. 7, lines 47-50).

Regarding claim 31, Haitsuka/Davis discloses displaying an icon to the computer user for the user to click on to start the usage session (See col. 5, lines 53-56).

Regarding claim 32, Haitsuka/Davis discloses determining a change in the user interest by comparing recorded information to category profiles stored in the computer (See col. 6, lines 56-63).

Regarding claim 33, Haitsuka/Davis discloses monitoring further comprises at least one of:

- monitoring time spent at a network site;
- monitoring network pages bookmarked by the user (See col. 8, lines 22-30);
- monitoring frequency that particular network pages are visited (See col. 6, lines 28-37); and
- monitoring the content of visited network pages (See col. 8, lines 22-30), and
- wherein analyzing comprises analyzing the recorded information and the hypertext links to determine a user interest for the session (See col. 9, lines 38-47, and col. 6, lines 56-63).

Regarding claims 34 and 41, Haitsuka/Davis discloses generating the query is in response to a user action and is based on the content of an item or a document currently being displayed (See col. 9, lines 42-66, and col. 12, line 56 to col. 13, line 2, Davis et al.).

Regarding claims 35 and 42, Haitsuka/Davis discloses generating a search engine query comprises constructing queries to perform searches using search engines on a plurality of web

sites based on the user's interest and transmitting the queries to the plurality of web sites (See col. 9, lines 42-66, and col. 12, line 56 to col. 13, line 2, Davis et al.).

Regarding claim 43, Haitsuka/Davis discloses a profile agent for a computer system comprising:

- an activity monitor (110, Fig. 3) to monitor usage of a web browser of the computer by a computer user during a usage session (See Fig. 3, and col. 3, lines 14-15, and col. 6, lines 21-25), to record information on the computer system (by client monitoring application) (See Fig. 3, and col. 3, lines 20-25, and col. 6, lines 21-23) including hypertext links selected by the user during the monitored session (See col. 8, lines 22-36), and to analyze the recorded hypertext links at the computer system to determine a user interest for the session (See col. 9, lines 38-47, and col. 6, lines 56-63); and
- a query engine to automatically generate a search engine query at the computer system based on the determined interest to transmit the generated search engine query from the computer to at least one remote site to query the at least one remote website, and to receive query results at the computer from the at least one remote web site based on the query as addressed above in claims 26 and 37.

Regarding claim 51, Haitsuka/Davis discloses a computer system comprising:

- a processor (130, Fig. 3);
- a network connection (120, Fig. 3);

- an activity monitor (110, Fig. 3) to monitor usage of a web browser of the computer by a computer user during a usage session (See Fig. 3, and col. 3, lines 14-15, and col. 6, lines 21-25), to record information at the computer system (by client monitoring application (See Fig. 3, and col. 3, lines 20-25, and col. 6, lines 21-23) including hypertext links selected by the user during the monitored session (See col. 8, lines 22-36), and to analyze the recorded hypertext links at the computer system to determine a user interest for the session (See col. 9, lines 38-47, and col. 6, lines 56-63); and
- a query engine to automatically generate search engine queries at the computer system based on the user's interest, to transmit the queries from the computer system to search engines on a plurality of remote Internet web sites, and to receive query results at the computer from the at least one remote web site based on the query as addressed above in claim 26 and 37.

Regarding claims 44 and 52, Haitsuka/Davis discloses the activity monitor parses hypertext links selected by the user into words (535, Fig. 5, and col. 9, lines 38-42) and determines the user interest based on the parsed words (46-47).

Regarding claim 45, Haitsuka/Davis discloses the activity monitor determines the user's interest based on the content of the hypertext links using heuristics (See col. 6, line 28 to col. 7, line 18).

Regarding claim 47, Haitsuka/Davis discloses the activity monitor comprises stored category profiles and determines a shift in the user interest by comparing recorded information to stored category profiles (See col. 6, lines 56-63).

Regarding claim 49, Haitsuka/Davis discloses the query engine constructs queries to perform searches using search engines on a plurality of web sites based on the user's interest and transmits the queries to the plurality of web sites (See col. 9, lines 42-66, and col. 12, line 56 to col. 13, line 2, Davis et al.).

Regarding claim 54, Haitsuka/Davis discloses the activity monitor records at least one of time spent at a network site, network pages bookmarked by the user (See col. 8, lines 22-30), frequency that particular network pages are visited (See col. 6, lines 28-37), and the content of visited network pages (See col. 8, lines 22-30), and the activity monitor analyzes the recorded information and the hypertext links to determine a user interest for the session (See col. 9, lines 38-47, and col. 6, lines 56-63).

5. Claims 29, 39, 46, and 53 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Haitsuka (US 6,505,201), in view of Davis (US 6,269,361), and further in view of Ryan (US 6,421,675), as set forth in the previous office action mailed 01/26/2005, and reiterated herein below for convenience.

Regarding claims 29, 39, 46, and 53, Haitsuka/Davis discloses all the claimed subject matter as set forth above in claim 26; however, Haitsuka/Davis is silent as to analyzing

comprises applying the hypertext links to keyword tables, the keyword tables comprising words that are indicative of user interest. On the other hand, Ryan discloses analyzing comprises applying the hypertext links to keyword tables (See col. 12, lines 16-60, Ryan et al.). Because the combination of Haitsuka/Davis system uses information on hypertext links to determine user interest, it would have been obvious to one having ordinary skill in the art at the time the invention was made to applying the hypertext links to keywords tables as suggested by Ryan, since applying the hypertext links to keywords tables clarifies user interest by showing links between information supplies and information request (See col. 12, lines 20-22, Ryan et al.).

6. Claims 36, 48, 50, and 55 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Haitsuka (US 6,505,201), in view of Davis (US 6,269,361), and further in view of Kravets (US 6,363,377), as set forth in the previous office action mailed 01/26/2005, and reiterated herein below for convenience.

Regarding claims 36, 48, 50, and 55, Haitsuka/Davis discloses all the claimed subject matter as set forth above in claim 35, however, Haitsuka/Davis is silent as to receiving search result documents from the web sites, the search result documents comprising a plurality of search result entries, filtering the search result entries based on the determined interest, and selecting a subset of the search result entries based on the filtering. On the other hand, Kravets discloses receiving search result documents from the web sites, the search result documents comprising a plurality of search result entries (28, Fig. 1A, and col. 4, lines 17-22, Kravets et al.), filtering the search result entries based on the determined intent (See col. 8, lines 9-16, Kravets et al.), and selecting a subset of the search result entries based on the filtering (See col. 8, lines 15-16,

Kravets et al.). Because the combination of Haitsuka/Davis system generate a search engine query, it would have been obvious to one having ordinary skill in the art at the time the invention was made to receiving, filtering, and selecting a subset of the search results as suggested by Kravet, in term of relevant search results.

Response to Arguments

7. Applicant's arguments filed on 03/30/2005 about the claim rejection of the last Office Action have been fully considered, but they are not persuasive.

Applicant argues, "The Examiner has rejected claims 56-72 under 35 U.S.C §102 (e) as being anticipated by Kravets, U.S. Patent No. 6,363,377 ("Kravets"). This appears to be essentially the same as the rejection from which Applicant appealed last year. The Examiner is respectfully referred to Applicant's unanswered appeal brief for a complete response to this rejection. The Examiner's referece to Kravets Column 7, line 61 to Column 8, line 16 is inapposite and has been fully addressed in Applicant's unanswered appeal brief in Section VIII.E." The examiner respectfully disagrees. The Examiner addressed the response to the appeal brief in the Office Actions mailed 03/26/2004 and 07/29/2004; therefore, there was unnecessary to address the response again in the last Office Action.

Applicant argues, "The Examiner has rejected claims 26-28, 30-35, 37-38, 40-45, 47, 49, 51-52 and 54 under 35 U.S.C §103 (a) as being unpatentable over Haitsuka, U.S. No. 6,505,201 ("Haitsuka") in view of Davis, U.S. Patent No. 6,269,361 ("Davis"). This rejection is identical to the rejection from which Applicant appealed except for the addition of Davis. Davis was fully discussed in Applicant's amendment of May 3, 2004. These arguments have not yet been

addressed by the Examiner". The Examiner respectfully disagrees. The Examiner fully addressed the response to the Applicant's amendments and arguments in the Response to Arguments section of the Office Action mailed 07/29/2004; therefore, there was unnecessary to address the response again in the last Office Action.

Applicant is noted that Applicant amends the claims to more clearly emphasize the differences from the prior art as in the Applicant's amendment filed on 09/07/2004. However, upon consideration, a new ground of rejection is made on same references as Examiner addressed in the Rejection and Response to Arguments sections of the Office Action mailed 01/26/2005.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Merilyn P Nguyen whose telephone number is 571-272-4026. The examiner can normally be reached on M-F: 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

MN
June 07, 2005

FRANTZ COBY
PRIMARY EXAMINER